

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 06-11053-GAO

JENNY RUBIN, et al.,
Plaintiffs—Judgment Creditors,

v.

THE ISLAMIC REPUBLIC OF IRAN, et al.,
Defendants—Judgment Debtors,

v.

MUSEUM OF FINE ARTS and HARVARD UNIVERSITY, et al.,
Trustee Process Respondents.

ORDER

March 13, 2014

O'TOOLE, D.J.

The plaintiffs ask this Court to reconsider its orders granting the Trustee Process Respondents' motion to dissolve the attachment (dkt. no. 187) and dismissing the case (dkt. no. 188). The plaintiffs asks that the orders be reexamined in light of the amendments to the Foreign Sovereign Immunities Act, in particular the addition of 28 U.S.C. § 1610(g) which allows for the attachment of property of a foreign state.

The Court of Appeals has held that the plaintiffs waived any argument under Section 1610(g) by failing to argue it to this Court even though it was available and further by failing to raise it on appeal until the occasion of a reply brief. Rubin v. Islamic Republic of Iran, 709 F.3d 49, 53-54 (1st Cir. 2013). This Court is bound by that ruling.

The plaintiffs' Motion (dkt. no. 194) for Reconsideration is DENIED.

It is SO ORDERED.

/s/ George A. O'Toole, Jr.
United States District Judge